1	ORDINANCE NUMBER 2019
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, CREATING CHAPTER 74, ARTICLE I, SECTION 74-13, ADOPTING A POLICY REAFFIRMING THE RESTRICTIONS OF THE 1947 DEED TO SANTA ROSA ISLAND FROM THE UNITED STATES OF AMERICA; REAFFIRMING LAWS OF FLORIDA, CHAPTER 24500 AS AMENDED; PROVIDING FOR A UNANIMOUS VOTE BY THE SANTA ROSA ISLAND AUTHORITY BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA TO DECREASE OR INCREASE THE RESIDENTIAL BUILDING CAP OF 4128 UNITS ON PENSACOLA BEACH: PROHIBITING THE TRANSFER OF THE 4128 UNITS ON PENSACOLA BEACH FOR USE ON ANY OTHER PARCEL OTHER THAN THE PARCEL TO WHICH THE UNIT(S) IS/ARE DESIGNATED: PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
19	WHEREAS, pursuant to Ordinance 2018-29, enacted by the Board of County
20	Commissioners of Escambia County on August 2, 2018, the Supervisor of Elections
21	placed on the ballot for the general election held on November 6, 2018 the following non-
22	binding referendum question:
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	NONBINDING REFERENDUM ON ESCAMBIA COUNTY POLICY FOR PRESERVATION OF SANTA ROSA ISLAND  ON JUNE 21, 2018, THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTED A POLICY TO PROHIBIT ANY PRIVATIZATION THROUGH SALE OR LEASE OF CURRENTLY UNLEASED PROPERTIES, ESPECIALLY CONSERVATION AND PRESERVATION PROPERTIES ON SANTA ROSA ISLAND. ESCAMBIA COUNTY REAFFIRMS THE CONGRESSIONAL RESTRICTIONS OF THE 1947 DEED. DO YOU SUPPORT THESE ESCAMBIA COUNTY POLICIES?;  and  WHEREAS, in the November 6, 2018 election, the electorate voted in support of
38	the referendum with 95,564 affirmative votes (80.2% of the voters); and
39	·

1	WHEREAS, The Board of County Commissioners desires to adopt a policy to
2	reaffirm the restrictions in the 1947 deed from the United States of America recorded in
3	Deed Book 248 at page 161 of the public records of Escambia County, Florida and to
4	reaffirm Laws of Florida 24500 as amended; and,
5	WHEREAS, there is a residential building unit cap on Pensacola Beach limited to
6	4128 units; and,
7	WHEREAS Escambia County desires to place restrictions on decreasing,
8	increasing and/or transferring the 4128 units;
9	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
10	COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:
11	Section 1. Recitals. The aforementioned recitals are true and correct and
12	incorporated herein by reference.
13	Section 2. Chapter 74, Article I, Section 74-13 is hereby created as follows:
14	Section 74-13. Policy on Santa Rosa Island
15	(1) The Board of County Commissioners hereby adopts a policy to to reaffirm the
16	restrictions in the 1947 deed from the United States of America recorded in
17	Deed Book 248 at page 161 of the public records of Escambia County, Florida
18	and to reaffirm Laws of Florida 24500 as amended.
19	(2) Any increase or decrease in the residential building unit cap on Pensacola
20	Beach of 4128 units requires the unanimous vote of the Santa Rosa Island
21	Authority Board and the Board of County Commissioners of Escambia County,
22	Florida.
23	(3) The transfer of any of the 4128 units under the residential building unit cap on

1	Pensacola Beach for use on any other parcel other than the parcel to which the
2	unit was designated is prohibited.
3	Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance is
4	held to be invalid or unconstitutional by any court of competent jurisdiction, then the
5	holding shall in no way affect the validity of the remaining portions of this Ordinance.
6	Section 4. Inclusion in the Code. It is the intention of the Board of County
7	Commissioners that the provisions of this ordinance shall be codified as required by
8	Section 125.68, Florida Statutes, and the sections, subsections and other provisions of
9	this ordinance may be renumbered or re-lettered and the word "ordinance" may be
10	changed to "section," "article," or such other appropriate word or phrase in order to
11	accomplish such intentions.
12	Section 5. Effective Date. This ordinance shall become effective upon filing with the
13	Department of State.
14	DONE AND ENACTED this day of, 2019.
15 16 17	BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA
18 19 20 21	By: Lumon J. May, Chairman  ATTEST: PAM CHILDERS  Clerk of the Circuit Court
22 23 24 25	By: Deputy Clerk
26 27	(SEAL)
28	ENACTED:
29 30 31	FILED WITH DEPARTMENT OF STATE:

1 EFFECTIVE: